

**Zoning Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-1
AGENDA DATE: Thu 03/23/2006
PAGE: 1 of 1**

SUBJECT: C14-04-0030 - Time Insurance, Inc. - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1405 & 1415 East Riverside Drive (Town Lake Watershed) from limited office (LO) district zoning and family residence (SF-3) district zoning to community commercial-mixed use (GR-MU) combining district zoning. Planning Commission Recommendation: To deny community commercial-mixed use (GR-MU) combining district zoning. Applicant and Property Owner: Schuler Family Trust 1998 (John Schuler) Agent: Thrower Design (Ron Thrower). City Staff: Robert Heil, 974-2330. A valid petition has been filed in opposition to this rezoning request.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE NUMBER: C14H-05-0030

HLC DATE:

December 19, 2005

PC DATE:

January 24, 2006

February 28, 2006

APPLICANT: Jonathan Langley and Mary Cavanaugh

HISTORIC NAME: Spurgeon Bell House

WATERSHED: Waller Creek

ADDRESS OF PROPOSED ZONING CHANGE: 106 W. 32nd Street

ZONING FROM: SF-3-NCCD-NP **TO:** SF-3-H-NCCD-NP

SUMMARY STAFF RECOMMENDATION: Staff recommends the proposed zoning change from single family residence, neighborhood conservation, neighborhood plan (SF-3-NCCD-NP) combining district to single family residence, neighborhood conservation, neighborhood plan – Historic (SF-3-H-NCCD-NP) combining district zoning.

HISTORIC LANDMARK COMMISSION ACTION: Recommended a zoning change from single family residence, neighborhood conservation, neighborhood plan (SF-3-NCCD-NP) combining district to single family residence, neighborhood conservation, neighborhood plan – Historic (SF-3-H-NCCD-NP) combining district zoning. Vote: 8-0 (Laky absent).

PLANNING COMMISSION ACTION: Recommended a zoning change from single family residence, neighborhood conservation, neighborhood plan (SF-3-NCCD-NP) combining district to single family residence, neighborhood conservation, neighborhood plan – Historic (SF-3-H-NCCD-NP) combining district zoning. Vote: 9-0.

DEPARTMENT COMMENTS: The house is listed as a Priority 2 for preservation in the Comprehensive Cultural Resources Survey (1984).

CITY COUNCIL DATE: March 23, 2006

ACTION:

ORDINANCE READINGS: 1ST 2ND 3RD

ORDINANCE NUMBER:

CASE MANAGER: Steve Sadowsky

PHONE: 974-6454

NEIGHBORHOOD ORGANIZATION: North University Neighborhood Association

BASIS FOR RECOMMENDATION:

The ca. 1925 Mediterranean villa is located in Aldridge Place, an upper middle-class subdivision platted in the 1910s just north of the University of Texas campus. The house

was designed by noted Austin architect Raymond Everett for Spurgeon Bell, the founder of the University of Texas School of Business Administration.

ARCHITECTURE

The ca. 1925 Bell House is a two-story Mediterranean villa with stucco walls, a hipped tile roof, round-arched doors and windows on the ground floor, and wood casement windows on the second floor. Mediterranean villas were a type of house for the prominent classes of the 1920s. Influenced by the revival styles, which recalled European and early American architecture, the Mediterranean villa incorporated several features of traditional Spanish and Italian architecture, including tile roofs, round-arched windows and doors, and sunny areas with lots of light, including integral patios and sunrooms, all of which are found on the ca. 1925 Bell House. The house also has notable interior ironwork by the Weigl Iron Works of Austin.

HISTORICAL ASSOCIATIONS

The house was designed by Raymond Everett (1885-1948), a prominent Austin architect, who was also very well known for his artistic works, including designing the masthead for the Austin Statesman and the book plates for the Austin Public Library. Everett taught drawing, art, sculpture and architectural history at the University of Texas, and designed several houses in Austin, including the Patterson House on Cliff Street and the Maverick-Miller House on Poplar Street, both designated city historic landmarks.

Everett designed the house for Spurgeon Bell (1880- ?), founder of the School of Business Administration in 1922 and the Bureau of Business Research at the University of Texas in 1926 to highlight the state's industrial advantages and resources. The Bureau is the oldest research center on campus.

Professor Bell purchased the property in January, 1925; J.A. McMekin filed a mechanic's lien on the property in February; Bell sold the property to Mrs. Dickson (Dixie) D. Falvey in September, 1925, resigning his post at the University and moving out of state. There is no other house remaining in Austin with associations to Professor Bell.

Dickson Abigail (Davies) Falvey was the widow of Thomas Falvey, a physician she married at Cherokee, Texas in 1900, as shown in the 1900 U.S. Census, which lists the couple residing in Vernon Parish, Louisiana. Dr. Falvey may have served in World War I; he completed a draft registration card in Harris County in 1917. He passed away between 1917 and 1920 when Dickson first lists herself as a widow in the Austin city directories, although Dickson had moved to Austin as early as 1918 as a student at the University of Texas despite her age of 39. Mrs. Falvey never lists an occupation in the remaining city directories. She and her daughter Sue moved to Victoria around 1930, where Sue was a "teacher of expression." They returned to the Aldridge Place house by 1932, when Sue lists her occupation as a dramatics teacher. She was the secretary-treasurer of the Policyholders Rating Bureau in 1935. Sue is not listed at the address from 1937 on; Dickson lived in the house until shortly before her death in 1948.

Dickson Falvey died in San Antonio in 1948. Her obituary in the Austin Statesman describes her as active in the Central Christian Church here. Sue Falvey Brooks donated the house to the Episcopal Seminary of the Southwest in 1955, which sold the property in 1998 to John B. and Mary Alice Torres-MacDonald. The current owners purchased the property in 2004.

PARCEL NO.: 02180419110000

DEED RECORD: Docket No. 2004148187TR

LEGAL DESCRIPTION: The East 15 feet of Lot 103 and the West 50 feet of Lot 105, Block 2, Outlot 74, Division D, Aldridge Place.

ANNUAL CITY TAX ABATEMENT: \$1,516 (Owner-occupied rate)

APPRAISED VALUE: \$428,485

PRESENT USE: Residence

CONDITION: Excellent

PRESENT OWNER

Jonathan Langley and Mary Cavanaugh
106 W. 32nd Street
Austin, Texas 78705

DATE BUILT: ca. 1925

ALTERATIONS/ADDITIONS: None apparent.

ORIGINAL OWNER(S): Spurgeon Bell (1925)

OTHER HISTORICAL DESIGNATIONS: None.



OK to proceed
 of Sandow
 10-19-05

Wed @ 1pm
 10-26-05

A. APPLICATION FOR HISTORIC ZONING

PROJECT INFORMATION:

DEPARTMENTAL USE ONLY	
APPLICATION DATE: <u>11-2-05</u>	FILE NUMBER(S): <u>CI44-05-0630</u>
TENTATIVE HLC DATE: _____	
TENTATIVE PC or ZAP DATE: _____	
TENTATIVE CC DATE: _____	
CASE MANAGER: <u>Steve Sandow</u>	CITY INITIATED YES/NO _____
APPLICATION ACCEPTED BY: <u>[Signature]</u>	ROLLBACK YES/NO _____

BASIC PROJECT DATA:

1. OWNER'S NAME: Jonathan Langley & Mary A. Cavanaugh

2. PROJECT NAME: The Bell-Everett House

3. PROJECT STREET ADDRESS (or Range): 1010 West 32nd

ZIP: 78705 COUNTY: TRAVIS

IF PROJECT ADDRESS CANNOT BE DEFINED ABOVE:
 LOCATED West 32nd St. FRONTAGE FEET ALONG THE (N) S. E. W. (CIRCLE ONE) SIDE OF
 APPROXIMATELY _____ (ROAD NAME PROPERTY FRONTS ONTO), WHICH IS
 INTERSECTION WITH Speedway DISTANCE FROM ITS
 _____ CROSS STREET.

AREA TO BE REZONED:

4. ACRES _____ (OR) SQ.FT. _____

5. ZONING AND LAND USE INFORMATION:

EXISTING ZONING	EXISTING USE	TRACT# (IF MORE THAN 1)	ACRES / SQ. FT.	PROPOSED USE	PROPOSED ZONING
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

RELATED CURRENT CASES:

6. ACTIVE ZONING CASE? (YES / NO)	FILE NUMBER: _____
7. RESTRICTIVE COVENANT? (YES / NO)	FILE NUMBER: _____
8. SUBDIVISION? (YES / NO)	FILE NUMBER: _____
9. SITE PLAN? (YES / NO)	FILE NUMBER: _____

E. ACKNOWLEDGMENT FORM

concerning
Subdivision Plat Notes, Deed Restrictions,
Restrictive Covenants
and / or
Zoning Conditional Overlays

I, Jonathan R. Langley have checked for subdivision plat notes, deed restrictions,
(Print name of applicant)

restrictive covenants and/or zoning conditional overlays prohibiting certain uses and/or requiring certain development restrictions i.e. height, access, screening etc. on this property, located at

106 W 32
(Address or Legal Description)

If a conflict should result with the request I am submitting to the City of Austin due to subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional overlays it will be my responsibility to resolve it. I also acknowledge that I understand the implications of use and/or development restrictions that are a result of a subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional overlays.

I understand that if requested, I must provide copies of any and all subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional overlay information which may apply to this property.

Jonathan R. Langley
(Applicant's signature)

11-2-05
(Date)

PROPERTY DESCRIPTION (SUBDIVISION REFERENCE OR METES AND BOUNDS):

10a. SUBDIVISION REFERENCE: Name: Aldridge Place
 Block(s) 2 Lot(s) West 50' Outlot(s) _____
 Plat Book: 2 Page 231 of Lot 105 and the East 15' of Lot 105, Block 2
 Number: _____
 10b. METES AND BOUNDS (Attach two copies of certified field notes if subdivision reference is not available of zoning includes partial lots)

DEED REFERENCE CONVEYING PROPERTY TO PRESENT OWNER AND TAX PARCEL I.D.:

11. VOLUME: _____ PAGE: 2004148187 TAX PARCEL I.D. NO. 02180419110000

OTHER PROVISIONS:

12. IS PROPERTY IN A ZONING COMBINING DISTRICT / OVERLAY ZONE? YES (NO)
 TYPE OF COMBINING DIST/OVERLAY ZONE (NCCD, NP, etc) _____
 13. LOCATED IN A LOCAL OR NATIONAL REGISTER HISTORIC DISTRICT? YES (NO)
 14. IS A TIA REQUIRED? YES (NO) (NOT REQUIRED IF BASE ZONING IS NOT CHANGING)
 TRIPS PER DAY: _____
 TRAFFIC SERIAL ZONE(S): _____

OWNERSHIP TYPE:

15. SOLE COMMUNITY PROPERTY PARTNERSHIP CORPORATION TRUST
 If ownership is other than sole or community property, list individuals/partners/principals below or attach separate sheet.

OWNER INFORMATION:

16. OWNER CONTACT INFORMATION
 SIGNATURE: Jonathan R. Langley NAME: Jonathan R. Langley
 FIRM NAME: _____ TELEPHONE NUMBER: 512/322-0090
 STREET ADDRESS: 106 West 32nd St
 CITY: Austin STATE: Tx ZIP CODE: 78705
 EMAIL ADDRESS: jonathan@langleys.net

AGENT INFORMATION (IF APPLICABLE):

17. AGENT CONTACT INFORMATION
 SIGNATURE: _____ NAME: _____
 FIRM NAME: _____ TELEPHONE NUMBER: _____
 STREET ADDRESS: _____
 CITY: _____ STATE: _____ ZIP CODE: _____
 CONTACT PERSON: _____ TELEPHONE NUMBER: _____
 EMAIL ADDRESS: _____

DEPARTMENTAL USE ONLY:

TAX CERTIFICATE
Nelda Wells Spears
Travis County Tax Assessor-Collector
P.O. Box 1748
Austin, Texas 78767
(512) 854-9473

NO 122335

ACCOUNT NUMBER: 02-1804-1911-0000

PROPERTY OWNER:

LANGLEY JONATHAN R
106 32 ST W
AUSTIN, TX 78705-2302

PROPERTY DESCRIPTION:

E15FT OF LOT 103 * & W50FT OF LOT
105 BLK 2 OLT 74 DIV D ALDRIDGE PL
ACE

ACRES 0.000 MIN% .00000 TYPE

SITUS INFORMATION: 106 W 32 ST

This is to certify that after a careful check of tax records of this office, the following taxes, delinquent taxes, penalties and interests are due on the described property of the following tax unit(s):

YEAR	ENTITY	TOTAL
2005	AUSTIN ISD	6,954.31
	CITY OF AUSTIN (TRAV)	1,898.19
	TRAVIS COUNTY	2,139.43
	HOSPITAL DISTRICT	333.79
	ACC (TRAVIS)	424.63
TOTAL SEQUENCE 0		11,750.35
TOTAL TAX:		11,750.35
UNPAID FEES:		* NONE *
INTEREST ON FEES:		* NONE *
COMMISSION:		* NONE *
TOTAL DUE ==>		11,750.35

ALL TAXES PAID IN FULL PRIOR TO AND INCLUDING THE YEAR 2005 EXCEPT FOR UNPAID YEARS LISTED ABOVE.
The above described property may be subject to special valuation based on its use, and additional rollback taxes may become due. (Section 23.55, State Property Tax Code).
Pursuant to Section 31.08 of the State Property Tax Code, there is a fee of \$10.00 for all Tax Certificates.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS DATE OF 10/20/2005

Fee Paid: \$10.00

Nelda Wells Spears
Tax Assessor-Collector

By: Arma DeLeon

F. 2: Historical Documentation – Occupancy History

106 West 32nd Street

Austin, Texas 78705

Year	Occupant Name and Reference	Source
1925	Spurgeon and Alice Bell	Warranty Deed
1925 –48	Dickson D. Falvey	City Directories
1955 -98	The Episcopal Theological Seminary of the Southwest	Warranty Deed
1998-2004	JohnB MacDonald and Mary Alice Torres-MacDonald	Warranty Deed
2004-Present	Jonathan Langley and Family	Warranty Deed

F.1: Historical Documentation – Deed Chronology

106 West 32nd Street

Austin, Texas 78705

Transaction	Vol/Page
Atilia Hancock to Spurgeon Bell West 50 feet of Lot 105 and the East 15 feet of Lot 103 in Block 2 Of Aldridge Place; January 12, 1925 \$1687.50	Vol. 371, P. 402
Spurgeon Bell to J.A. McMekin (builder) mechanic's lien and building contract naming R. Everett as architect; February 16, 1925 \$11,033.62	Vol. 372 P446
Spurgeon and Alice Bell to Dickson D. Falvey West 50 feet of Lot 105 and the East 15 feet of Lot 103 in Block 2 Of Aldridge Place; September 19, 1925 \$12,500.00	Vol. 377, P. 530

**Sue Falvey Brooks to
The Episcopal theological Seminary
Of the Southwest
West 50 feet of Lot 105 and the
East 15 feet of Lot 103 in Block 2 of
Aldridge Place;
June 29, 1955
\$18,000.00**

Vol. 1600, Pp. 96 & 97

**The Episcopal Theological Seminary
Of the Southwest to John B Mac-
Donald and Mary Alice Torres-MacDonald
West 50 feet of Lot 105 and the
East 15 feet of Lot 103 in Block 2 of
Aldridge Place;
1998**

**John B. MacDonald and Mary Alice
Torres-MacDonald to Jonathan R. Langley
West 50 feet of Lot 105 and the
East 15 feet of Lot 103 in Block 2 of
Aldridge Place;
\$650,000.00
August 3, 2004**

2004148187